

MARCH 26, 2010

KAREN S. MITCHELL

CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STEPHEN C. WALKER, PRO SE,
also known as
STEPHEN CLAYTON WALKER,
TDCJ-CID No. 1417300,
Previous TDCJ-CID No. 701711,

Plaintiff,

v.

2:08-CV-0084

JOE S. NUNN ET AL.,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
AND ORDER OF DISMISSAL**

Plaintiff STEPHEN C. WALKER, proceeding pro se and while a prisoner confined in the Texas Department of Criminal Justice, Institutional Division, has filed suit pursuant to Title 42, United States Code, Section 1983 complaining against various defendants employed by or otherwise associated with the Texas Department of Criminal Justice, and was granted leave to proceed in accord with Title 28, United States Code, section 1915(b). On December 29, 2008, plaintiff filed an Amended Complaint adding defendants SHAWN WATSON, KENNETH BURKETTE, and JOYCE VANDERBURG. Defendant BAXTER was dismissed on January 26, 2009; and defendant JOYCE VANDERBURG was dismissed February 26, 2009. RICK THALER was substituted for NATHANIEL QUARTERMAN, on September 26, 2009.

On March 10, 2010, the Magistrate Judge issued a Report and Recommendation that defendants' Motion for Summary Judgment be granted and plaintiff's claims be dismissed with prejudice.

No objections to the March 10, 2010 Report and Recommendation have been filed by either party; and the response period has expired.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation.

The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that defendants' Motion for Summary Judgment is GRANTED; and the Civil Rights Complaint by plaintiff STEPHEN C. WALKER is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk will mail a copy of this Order to the plaintiff, and to any attorney of record by first class mail.

It is SO ORDERED.

Signed this the 26th day of March, 2010.

/s/ Mary Lou Robinson
MARY LOU ROBINSON
United States District Judge